ALL THE NEWS OF NEBRASKA

Doings of the Supreme Court and the Decisions Filed.

BALOON CASES AT AURORA.

The Liquor Men Worried on Account of Convictions—A Suit for Libel Fails-Nebraska City's Good Band.

State Supreme Court Doings. Lincoln, Neb., Oct. 12.— [Special to the Brs.]—This morning Mr. L. C. Blanchard was admitted to practice, and the following cases came up: Stettnische vs. Lamb, report of referee affirmed unless exceptions be filed in twenty days; state ex rel Iowa Masons' Benevolent society vs. Bab-

cock, peremptory writ allowed. The following decisions were allowed: Gregg vs. Loomis. Error from Lancaster county. Affirmed. Opinion by Maxwell, Ch. J.

county. Affirmed. Opinion by Maxwell, Ch. J.

1. Where a real estate broker brought an action to recover commissions for a completed sale of real estate, and the testimony showed that he had merely procured a purchaser who afterward purchased such real estate from the owner. Held, that the action was one to recover upon a quantum meruit the value of the services rendered, but as no objection had been made to the testimony, the judgment will be sustained.

2. Where an action was brought to recover commissions for effecting the sale of real estate, and the testimony shows that the broker and the premises from the owner. Held, that a judgment awarding the broker a less sum than the commission upon a completed

sum than the commission upon a completed sale, will not be set aside. Stanton & Co. vs Spence. Error from Lancaster county. Affirmed. Opinion by

caster county. Aftirmed. Opinion by Cobb, J.

1. In a case brought on error to a district court, to reverse a judgment of that court reversing a judgment of a justice of the peace, and upon examining the petition in error to said justice of the peace, end the record certified by him, it appears that there is reversable error assigned, it will be presumed by this court that it was upon such errors that the judgment of the justice was reversed, and not upon other errors assigned which are believed not to be reversable.

2. A judgment was rendered by a justice of the peace against S. and S. defendants; within ten days R., attorney of S. and S., appeared before the justice, "offered to confess judgment for the costs in this case, and moved the court to set aside the default heretofore rendered in this case and set said cause for trial," which offer and motion was is writing and signed by attorney for the defendants, whereupon the justice made the following entry in the docket of the case: "Motion sustained, default set aside and trial set for the 8th day of May, 1886, at 1 o'clock in the afternoon of said day," signed officially by the justice, notice being given thereof as provided by statute; on the 8th day of May, 1886, parties appeared, and on motion of plaintiffs the justice refused a new trial; 1886, parties appeared, and on motion of plaintiffs the justice refused a new trial; held, error and the judgement of the district

court, reversing the same, affirmed.
Fisher vs Herron; Bogart vs Fisher. Appeal from Gage county. Decree of district court reversed and causes remanded, with directions to enter decrees in favor of the assignee and Bogart. Opinion by Maxwell,

Transactions between relatives, whereby property is transferred from one to another in payment of an alleged past due indebtedness, by reason of which creditors are deprived of their just dues, will be scrutinized very closely, and such transaction must be clearly established.

2. Where an insolvent debtor has made an assignment of his property, the proceeds of which have been distributed among creditors, leaving a large amount unpaid, a creditor's bill filed by the assignee, or a creditor who has proved his claim, will inure to the benefit of all creditors who have established their claim against said assigned property. Joyner vs Van Alstyne. Error from Lan-caster county. Affirmed. Opinion by Maxwell, Ch. J.

woid.

Wilkinson vs Carter. Error from Cass county. Affirmed. Opinion by Maxwell, Ch. J.

1. In an action before a justice of the peace the trial was commenced on the leth day of February, 1886. Following the entry of the judgment was the date, "February 17, 1886." Held, that an affidavit showing that the judgment was actually rendered at the latter date might be received, as such affidavit did not vary or contradict the record, but merely explained to what the date referred.

2. Before judgment for costs will be re-2. Before judgment for costs will be re-viewed in the supreme court there must be a motion to retax sustained or overruled, in whole or in part, by the trial court.

Liquor Sellers Uneasy.

Aurora, Neb., Oct. 12.-[Special Telegram to the BEE.]-The jury in the case of Mrs. Kuhn vs Owen Sullivan, for selling her husband liquor, brought in a sealed verdict this morning in favor of the plaintiff, giving her \$380. Sullivan has appealed and the case now goes to the supreme court. The violators of the liquor law are very uneasy. It is said the fun has only just commenced. On the part of the state they are bound over in the sum of \$500 each, but now the local authorities propose to take the matter in hand and push it to the extent of the law. The district court adjourned to-day until No-vember. About forty cases were disposed of at this term, leaving sixty or more on the docket. Judge Norval returned to his home in Seward to-night.

Newspaper Men in Court. GRAND ISLAND, Neb., Oct. 12.—[Special Telegram to the BEE.]—The sensational libel case of Fred Hedde, publisher of the Daily Independent, vs C. W. Stidger, editor of the Daily Times, was terminated to-day and the jury brought in a verdict of not guilty. The action to prosecute was brought by Mr. Hedde against the Times for articles they published charging him with being a noted criminal and vender of "sheep herders' delight." The jury, after being out fifteen minutes, decided there was no cause for action and Stidger was acquitted.

Good Templars Grand Lodge. LINCOLN, Neb., Oct. 12 .- [Special to the BEE.]-The grand lodge of Nebraska I. O. G. T. met in this city to-day, with sixty-five ac credited delegates in attendance. A recep-tion was given by the Lincoln lodge last night to the visiting delegates.

In Behalf of the Friendless. Lancoln, Neb., Oct. 12.-[Special to the Ber.]-The fifth annual convention of the State Society of the Home for the Friendless met this morning at the Y. M. C. A. rooms in this city, and will continue in session two days. Thirteen auxiliary societies are repre-sented by thirty-three delegates.

Captured a Prize.

NEBRASKA CITY, Neb., Oct. 12 .- [Special Telegram to the Bss.]-The Second regi ment band arrived home this evening from Chicago, where they captured first prize in the second class. They were met at the depot by Company C, and with colors flying marched to the Thorpe house, where a recep-tion was given them.

Arrival of Gen. Kilpatrick's Remains. New YORK, Oct. 12.—The remains of General Kilpatrick, accompanied by the family arrived this morning from Aspinwall.

Children Cry for Pitcher's Castoria.

When Raby was sick, we gave her Castoria. When she was a Child, she cried for Castoria When she became Miss, she clung to Castoria, When she had Children, she gave them Casteria. THE CHICAGO ENCAMPMENT.

List of the Various Awards of Prizes Made Yesterday. CHICAGO, Oct. 13 .- After dress parade at the military encampment to-day Colonel C. W. King, adjutant of the camp, read the award of prizes as follows: Battalion drill: First prize, \$3,500, Kentucky Louisville Legion; second prize, \$1,500, Second Minnesota. Company drill: First prize, \$5,000, company G, Third Wisconsin; second prize, \$2,500, Toledo, O., Cadets; third, \$1,200, company G, First Colorado; fourth, \$750, company G, First Illinois; fifth, \$500, company A, Thirteenth Ohio. Artillery platoon: First prize, \$2,500, First light battery, Wisconsin;

second, \$1,000, left platoon, battery D, Illinois; third, \$500, right platoon, battery D, Illinois; fourth, \$200, First Minnesota bat-tery. Artillery sections: First prize, \$1,000, first section light battery, Wisconsin; second prize, \$350, second section light battery, Wisconsin; third prize, \$200, section battery D,

prize, \$350, second section light battery, Wisconsin; third prize, \$200, section battery D, Illinois; fourth prize, \$150, section battery, Minnesota. Cavalry: First prize, \$3,300, Milwaukee light horse squadron; second prize, \$1,500, Cleveland, O., troops. The first-class band prize was a full set of Higham militum band instruments, consisting of twenty-five pieces and valued at \$2,500, offered by Lyon & Healy, of this city, on condition that any band so competing shall be composed of at least twenty-five actual players. There were three entries for this prize—the Ligonear, Ind., band, the Bates, Wis., band, and the Greenville, Mich., band. A good many bands, on account of protests by the Wisconsin and Michigan bands, were ruled out and the prize given to the Ligonear band. In their efforts to win the prize the Michigan and Wisconsin bands had hired nineteen professional musicians from the Second Illinois regiment. There was no award made for second prize. Second class: First prize, \$500, Juvenile band of Jacksonville: second, \$250, Eldora, Ia., band. The second Nebraska band was awarded a diploma of merit. Individual prize for the best drylled soldier: First prize, \$500, E. Fitzgerald, company G, Third Wisconsin; second, \$250, J. B. Wagner, company A, First Kentucky; third, \$125, E. S. Wartz, company A, Thirteenth Ohio; fourth, \$75, E. P. Gray, company B, First Kentucky; fifth, \$50, E. Johnston, company A, First Kentucky; brize, \$150, Dubuque, Ia.; drum corps; special prize, \$100, First Illinois. Trumpet corps: First prize, \$100, Milwaukee light horse squadron; second prize, \$75, First Illinois. The encampment so far has not been a success. The local companies are receiving no cash on prizes awarded and visiting companies are settling on the best terms possible, some taking 50 per cent and some taking part of the amounts in notes.

Garrett and the B. & O.

Baltimore, Oct. 12.—[Special Telegram to the Bee.]—That Robert Garrett is still angry about the disposition of the Baltimore & Ohio telegraph was demonstrated yesterday by his failure to attend the meeting of the finance committee of the company. He drove into the city Monday evening and spent a couple of hours at the Maryland club and appeared as hearty and in as happy and contented a frame of mind as a million aire could be expected to be in. But when he did not show himself at his office yesterday more surprise was expressed than Monday. Members of the Maryland club who were in Garret's company Monday evening declare that he refrained from passing any comment on Gould or saying anything about the deal. A member of the finance committee stated that Garrett is angry with Burns, president pro tem of the company, for what was done during his absence in Europe This director also says that Garrett would like to interfere with the sale if he could do
so with the prospect of success, but that as
all efforts would undenbtedly prove futile, he
has concluded to let them take their course.
A New York dispatch to the American A New York dispatch to the American says: "President Garrett will tender his resignation to-morrow, although the action may possibly be postponed until the annual meeting in November."

Chamberlain Speaks at Belfast. BRLFAST, Oct. 12.—Chamberlain addressed Maxwell, Ch. J.

The mere fact that the grantor in a deed is insolvent will not render the conveyance of real estate made by him to a creditor upon good adequate consideration fraudulent and lin parliament, because he objected to submitting Ulster's orderly, regular life to the inventors of the "Plan of Campaign." The Irish were now absolutely masterful in America, especially in New York, the government of which was called Irish. The parliament in Dublin would be simply a Dublin Tammany hall. He could not consent to handing over the Ulster Protestants to such

A Murderer Follows His Victim. PONCHATAULA, La., Oct. 12-Monday afternoon a negro drowned his wife because she refused to live with him any longer. While she was drowning her brother came upon the scene and fired twenty buckshots into his sister's murderer, who sank with the body of his victim to the bottom of the Amite river.

Cold Weather in the East. New York, Oct. 12 .- Advices to the Associated press indicate a widespread area of low temperature. Snow fell to-day at Quobec, Canjohairie, N. Y., and Middlebury, Vt., and frost was experienced last night as far south as Port Gibson, Miss.

The Duchesse Receovers. VIENNA, Oct. 12 .- The Duchesse of Cum berland, who was put in the insane asylum some months ago, has completely recovered her reason and will leave the institution Sat

Snow in England.

London, Oct. 12 .- A snowstorm, accompanied by thunder and lightning, prevailed yesterday in England and Wales. The roads in Wales are blocked with snow.

An Indian Band.

Among the visitors who have attracted considerable attention is the band composed of Indians from the school at Genoa. The band numbers eighteen pieces Their uniforms are navy blue, faced with white braid, and present a very handsome appearance. They play finely for aboriginees, and rendered some very pleasing selections at a screnade tendered the BER last evening. The band is under the direction of Horac Chase.

POLICE OF BERLIN. How The German Capital is Guarded

Against Lawbreakers.

London Telegraph: Baron Von Richtoffer, president of the Berlin police, combines in his person the duties which in London are divided between the chief commissioner of police and the board of works. He not only looks after the safety and health of the publie, but has unper his surveillance the streets, markets and buildings. In relation to the Berlin municipality.

which by its excellent financial management has shown itself worthy of the considerable administrative economy which it enjoys, the president of police exercises certain rights of control. He represents the state in its relations with the people in the first instance and is the organ of the executive power.

The municipality bears a large share of the police expenditure, paying for the uniforms of the Schutzleute and providing the buildings in the various localities where they are stationed. The state provides the pay of the men. That of the fire brigade comes out of the munic-ipal funds, although the firemen, like the Schutzleute, are under the orders of

the president of the police. The policemen are only employed during the day time. At night the capital is confided to the care of watchmen. who wear a distinctive uniform and are provided with a whistle and a saber. These men are on duty from 10 o'clock at night till 5 or 6 o'clock the next morning, the final hour varying according to the season of the year. They number 500. The effective strength of

the police is 8,500, of which number about fifty are mounted.

All the policemen are old subordinate officers of the army and are of a certain standard height. They must have passed nine years in the army, and employ-ment is given only to those who have distinguished themselves by good con-duct, zeal and assiduity. They are re-spected by and live on good terms with the civil population, although their manner occasionally betrays their mili-tary training and is not exempt from brusqueness.

brusqueness.

The Berliner submits by force of habit to the injunctions of the policeman, and on military parade days one constable is sufficient to keep a large number of spectators in order.

The morale of the corps is good, because the men know that they are supported by both the public and the superior authority. The latter punishes all faults and negligences on the part of the force and protects it when it is in the right.

the right.
In addition to this out-door police, which sees to the execution of laws and regulations and maintains order in the street, there is a policy of safety, whose mission is to discover the authors of crimes and misdemeanors, and to keep strict watch over the dangerous classes

so as to prevent, as far as possible, the perpetration of offenses against person and property.

The head of the police of safety is Count Puckner. The agents of safety wear ordinary civil dress, and when they visit dangerous quarters carry a revolver. This latter privilege has re-cently been granted to them in consequence of some serious encounters with armed criminals.

The possession of a revolver is calculated to give the agent a greater degree of assurance, but he is strictly forbidden to use the weapon except in the last ex-

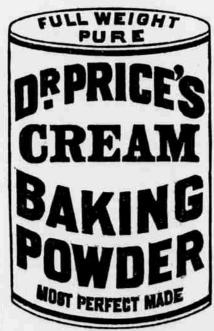
The district agents are specially charged with the surveillance of dealers in old clothes, pawnbrokers and all suspected persons having a fixed domicile. The town is divided for the purposes of this department of the force into eight districts, each of which is under the direction of a commissioner. The division of labor, which is so marked a feature of the Berlin police force, is carried down to the dangerous

A Queer Steamboat, Philadelphia Times: Mr. J. H. Kates, of Pittsburg, is now in the city with a patent for a new means of propelling steamers. He has a working model of a boat in which he uses the wheels or propelling power of the boat to support it. He claims that his boat can be run at the water of a mile as pinute and that at the rate of a mile a minute, and that, owing to her great velocity, the boat will practically run on the surface of the water, thus enabling the boat to carry from one-third to one-sixth of its weight in passengers.

Figures That Lie. Harper's Bazar: "Why, George! A hundred dollars for that magazine story! How long did it take you to write it?" Young husband (nonchalantly)-Oh, I don't know. A couple of days, I sup-

Wife (exultantly)—Fifty dollars a day! That's three hundred dollars a week, and twelve hundred a month. Twelve times twelve is one hundred and fortyfour-fourteen thousand four hundred dollars a year! Why, George, we can keep a carriage and horse just as well

The scene at the depot upon the arrival of the president's train was exexciting. There were people ccedingly perched on the telegraph poles, and the new alarm system had its quarto of representatives, while the tops of the cars near the depot were black with people,



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Charlotto Randow's Testimony. New York, May 3, 1897. Swift Specific Company, Atlanta, Ga.:

Swift Specific Company, Atlanta, Ga.:

Gentlemen.-Having been annoyed with pimples, eruptions and rougeness of the akin, from had condition of my blood, for more than a year, I used a leading preparation of sarsaparilia and other advertised remedies to no effect. Then I consulted a prominent physician, and from his treatment received no benefit. I then concluded to try the S.S. a remedy for the blood, and five or six packages, by a therough eradication of my trouble and restoring smoothness to my skin, have made me happy, and I cheerfully give you this testimonial for such use and publicity as you wish to make of it.

132 Bowery, near Canal Street.

Hugo Haskerl's Testimony.

The Swift Specific Company, Atlanta Ga:
Gentlement For two years I had a severe case of ecsema. I used tar searce, sulphur empty, and various other remeable, and was prescribed for by numbers of physicians, but found no rebef. At last I determined to try the S.S.S. remedy, and seven or eight bottles have thoroughly relieved me, and you can use this certificate in any manner you wish.

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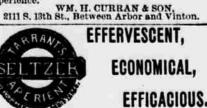
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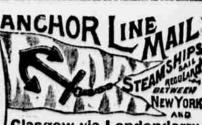
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